



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

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August 30, 1999

Mr. Steven Babcock, Project Manager
Civil Projects and Planning Branch
Seattle District Corps of Engineers
P.O. Box C-3755
Seattle, WA 98124-3755

RE: Revisions to Water Quality Certification/Modification
Corps Public Notice TB-98-02
Extension of Point Chehalis Revetment.

Dear Mr. Babcock:

Revisions to the above referenced water quality certification are required as a result of the settlement of the appeal of the certification to the Pollution Control Hearings Board, Case No. 98-257. The revisions are specified in Part 3.a.(1) and (2) of the "Stipulation and Agreed Order" dated July 15, 1999. Except as revised, all other conditions of certification, contained in Order No. TB-98-02, shall remain in effect. The revisions of note are shown as bold italic font in the order enclosed with this letter.

Revision to Transmittal Letter: ***This water quality certification is granted to the Seattle District Corps of Engineers on the condition that those provisions of approval applicable to the life of the Point Chehalis Revetment Project (noted in the Order) shall remain in effect for the entire life of the project. At a minimum, project life is predicated upon an economically-derived structural life span of 50 years. In addition, certification of the project is contingent upon the full faith implementation by the Seattle District Corps of Engineers of the mitigation plan contained as Attachment A to the signed Interagency Mitigation Agreement dated October 7, 1998. The department considers this commitment to be unconditional and not subject to or contingent upon the availability of federal funding.***

If you have any questions concerning the content of the revisions to the Order, please contact Rick Vining at (360) 407-6944.

Sincerely,

Paula Ehlers

Paula Ehlers, Supervisor
Environmental Coordination Section
Shorelands and Environmental Assistance Program

cc: AG -- Tanya Barnett
City of Westport
Port of Grays Harbor
Knoll Lowney; Agent for Surfrider Foundation

DEPARTMENT of ECOLOGY

In the Matter of Granting a Water
Quality Certification/Modification
to: Seattle District Corps of Engineers
in accordance with 33 U.S.C. 1341
[FWPCA § 401], RCW 90.48.260
and WAC 173-201A

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Order No. TB-98-02
Construct a 1,900-foot extension
to the Point Chehalis revetment.

TO: Mr. Steven Babcock
Seattle District Corps of Engineers
Civil Projects and Planning Branch

On June 26, 1998, a request for water quality certification from the State of Washington was submitted for the above-referenced project pursuant to the provisions of 33 U.S.C. 1341 (FWPCA § 401). The request for certification was made available for public review and comment by inclusion in Seattle Corps Public Notice No. TB-98-02.

The proposed project involves several elements:

- (1) the construction of a 1,900-foot extension to the Point Chehalis revetment in an alignment that lies above mean higher high water of Half Moon Bay;
- (2) the placement of revetment fill into approximately 1.4 acres of palustrine emergent (dunal) wetland situated within the proposed alignment (on the landward side);
- (3) the construction of a mitigation site to compensate for the unavoidable loss of approximately 1.4 acres of palustrine dunal wetland;
- (4) the nourishment of the beach at Half Moon Bay by periodic placement of clean dredged material just offshore and directly onto the beach; and
- (5) the placement and maintenance of an emergency supply of sand (stockpile) at a convenient location behind the revetment.

In exercising its authority under 33 U.S.C. 1341 and RCW 90.48.260, Ecology has investigated this application pursuant to the following:

1. Conformance with the state water quality standards as provided for in Chapter 173-201A WAC authorized by 33 U.S.C. 1313 and by Chapter 90.48 RCW, and with other appropriate requirements of state law.
2. Conformance with the provision of using all known, available and reasonable methods to prevent and control pollution of state waters as required by RCW 90.48.010.

In view of the foregoing and in accordance with 33 U.S.C. 1341, 90.48.260 RCW and Chapter 173-201A WAC, certification is granted to the Seattle District Corps of Engineers subject to the following conditions:

1. Revetment Design. State approval of the proposed revetment extension is based, in part, on the following design features committed to by the Corps and project sponsors (City of Westport and Port of Grays Harbor):

a) The 1,900-foot extension of the revetment is to be constructed entirely landward of the ordinary high water line and kept buried by a suitable covering of sand so as to appear as a part of the Half Moon Bay dune system. *This requirement is one of the conditions of certification that shall remain in effect for the life of the (revetment) project.*

b) Periodic or "as needed" beach nourishment is included as an integral element of the revetment project to maintain burial of the revetment and to prevent shoreline erosion that could eventually expose the lower face the revetment to marine waters. If sufficient quantities of dredged material are not available to maintain the agreed upon beach profile, the Corps and project sponsors shall be considered responsible for procuring and placing an alternate source of suitable nourishment material, such as from an upland source. *This requirement is one of the conditions of certification that shall remain in effect for the life of the (revetment) project.*

2. Revetment Construction.

a) The contractor shall use all reasonable measures to minimize the impacts of construction activity on waters of the state, including the dunal wetlands situated immediately adjacent to the revetment. The alignment of the revetment extension shall be staked during a pre-construction meeting involving the Corps, the contractor and representatives from Ecology and WDFW. Construction methods and measures to minimize impacts to surface waters and wetlands will also be described and discussed at the pre-construction meeting.

b) Any turbid water generated from construction activities shall not be discharged directly into Half Moon Bay or the dunal wetland area. Temporary sediment control structures or traps shall be used to allow the turbid water to settle for a minimum of two hours before discharge. All planned sediment and erosion control measures shall be adjusted to meet field conditions at the time of construction. Sediment control measures shall be inspected periodically and maintained so as to be in working condition at the end of each workday.

c) Any excess excavated or construction material shall be transported and disposed of in a manner that prevents the material from entering state waters, including wetlands.

d) In the event of a spill or discharge of oil, fuel, or chemicals at the construction site, containment and cleanup efforts shall begin immediately and be completed as soon as possible, taking precedence over normal work. Cleanup shall include proper disposal of any spilled material and used cleanup materials. Such spills shall be reported immediately to the Department of Ecology, Southwest Regional Office at (360) 407-6300 (24-hour phone number).

2. Beach Nourishment

a) *Certification of the revetment extension project is contingent upon the implementation of the Beach Nourishment Plan specified in Attachment A of the Interagency Mitigation Agreement dated October 7, 1998).*

b) **Sediment Quality.** The sediments to be used for beach nourishment are to come primarily from the two reaches of the Grays Harbor navigation channel designated as the Entrance and South Reach. Dredged material from these reaches, as well as from the other outer reaches of the channel, has been sampled and analyzed according to guidelines and procedures prescribed in the Grays Harbor/Willapa Bay Dredged Material Evaluation Manual and found suitable for unconfined in-water disposal. Thus the dredged material from these reaches is deemed suitable for the beneficial purpose of beach nourishment. The Manual contains Recency/Frequency guidelines that provide for the periodic reassessment of the quality of sediments dredged from the navigation channel.

c) **Emergency Stockpile.** Per Attachment A of the Mitigation agreement, the project includes the provision for an upland stockpile of sand to be used in the case of sudden catastrophic erosion to the beach immediately adjacent to the revetment. A sufficient quantity of sand should be available to restore the beach to a condition suitable to isolate the revetment from the ordinary high water line. If restoration is necessary, it particularly important that it be completed prior to the period of juvenile salmonid migration (March 1st through June 14th). The Corps/City of Westport shall take appropriate steps to insure that the stockpile is reserved for this use only and is re-supplied as necessary. *This requirement is one of the conditions of certification that shall remain in effect for the life of the (revetment) project.*

d) **Crab Mitigation.** Dungeness crabs killed by the placement of dredged material directly onto the beach shall be mitigated for in accordance with the Grays Harbor Dungeness Crab Mitigation Strategy Agreement. *This requirement is one of the conditions of certification that shall remain in effect for the life of the (revetment) project.*

3. Water Quality Modification.

a) The direct placement of dredged material on the Half Moon Bay beach may have water quality effects that will exceed the state water quality criteria specified in WAC 173-201A. Per Section 173-201A-110, the department may grant a Modification to the Standards to allow for exceedances of the criteria on a short-term basis when necessary to accommodate essential activities.

b) The project site is classified as Class AA marine waters and thus the criteria of that class apply except as specifically modified by this order. A dilution zone extending 300 feet radially from the approximate center of dredged material placement is considered to be reasonably sufficient to allow for temporary impacts resulting from direct beach nourishment. Within the

dilution zone, the standard for turbidity is waived. All other applicable water quality standards shall remain in effect within the dilution zone and all water quality standards are expected to be met outside of the authorized dilution zone.

c) **Duration.** As a result of recent changes to the water quality standards (Chapter 173-201A WAC), "modifications to the standards" may be issued for indefinite periods of time. Thus the modification allowance for direct-beach-nourishment at Half Moon Bay is granted for the same duration as the water quality certification, *that being for the life of the project.*

The intent of a "modification to the standards" as a means to temporarily waive a water quality standard needs to be made clearer given the extended period of approval. The waiver of a water quality parameter (such as turbidity) within a specified dilution zone is intended only for brief periods of time (such as a few hours or a day) and is not an authorization to exceed the standard for the entire duration of construction. In no case does the waiver authorize degradation of water quality that might significantly interfere with or become injurious to characteristic water uses or cause long-term harm to the marine waters of Half Moon Bay. Also, the modification does not authorize any in-water work during closure periods specified by the Department of Fish and Wildlife.

A modification is also granted on condition that all reasonable and appropriate "best management practices" are being undertaken to reduce the impacts that may cause exceedances of the water quality standards.

4. Compensatory Mitigation for Unavoidable Wetland Fill.

a) To compensate for the loss of approximately 1.4 acres of palustrine dunal wetland, the Port of Grays Harbor has agreed to provide to the Corps of Engineers 2.8 acres of property located near Firecracker Point for the purpose of removing fill and restoring what was originally salt marsh habitat. The mitigation site is situated along the eastern edge of the large fill area located just to the south of the barge unloading facility at Firecracker Point. Included within the mitigation acreage is a fresh water wetted area that supports the only significant stand of woody vegetation on the site.

b) A more detailed Salt Marsh Restoration Plan shall be prepared for the proposed mitigation site and submitted to Ecology for review and approval prior to starting the salt marsh restoration work.

c) The primary purpose of wetland mitigation is to protect, in perpetuity, the functions and values of the wetland mitigation site, along with the rights and restrictions necessary to ensure that habitat and wetland functions and values continue. To this end, the Port of Grays Harbor (as land owner and sponsor) shall take appropriate action to insure the preservation of the salt marsh restoration site. The most common means for preserving a mitigation site involves a deed restriction or a conservation easement.

An example of a deed restriction acceptable to the department is provided in Enclosure 1. Once finalized, the deed restriction or conservation easement shall be filed with (the local assessor's office) with a copy provided to the department, ATTN: Rick Vining

d) Enforcement. To monitor the successful accomplishment of restrictions placed on the deed or conservation easement for the mitigation site, the following actions may be taken by the department:

- 1) To enter upon the mitigation site at reasonable times and upon reasonable notification to the owner in order to monitor compliance with and otherwise enforce the terms of the deed restrictions.
- 2) To prevent any activity on or use of the mitigation site that is inconsistent with the deed restrictions and to require restoration of such areas or features of the site if damaged by any inconsistent activity or use.
- 3) To recover any costs incurred by the department in enforcing the terms of the deed restriction, including without limitation, costs of the suit and attorneys' fees and any costs of restoration necessitated by the violation of the terms of the deed restriction.

5. HPA Letter of Approval. The following referenced provisions contained in the HPA "letter of approval" submitted by the Department of Fish and Wildlife (Enclosure 2) are included as conditions of this Order: Provision Number 1, 8 through 14, 19, 20, 21, 24 through 28, and 30. Some of the other provisions have been incorporated into the main text of this certification.

6. Other Requirements.

- a) Copies of this Order shall be kept on the job site and readily available for reference by the Corps of Engineers, Ecology personnel, the contractor, and other appropriate state and local government inspectors.
- b) The Department of Ecology, Environmental Coordination Section retains jurisdiction to make modifications hereto through supplemental order, if it appears necessary to protect the public interest during the construction and monitoring of this project.
- c) The Corps or designated contractor shall notify the department at least 14 days prior to the scheduled start of construction. The contact person is Rick Vining at (360) 407-6944.
- d) This certification does not exempt and is provisional upon compliance with other statutes and codes administered by federal, state, and local agencies.

e) The permittee (Corps) shall be considered out of compliance with this certification if:

1. the project is constructed and/or operated in a manner not consistent with the project description contained in the Public Notice.
2. five years elapse between the date of the issuance of this certification and the start of construction and/or discharge for which the federal permit is being sought; however, the expiration date may be extended by the department at the request of the permittee.
3. the information contained in the Public Notice is voided by subsequent submittals to the federal agency, in which case the permittee must reapply for certification with the updated information.

7. Penalties. Failure to comply with this Order may result in the issuance of civil penalties or other actions, whether administrative or judicial, to enforce the terms of this Order.

8. Appeal Process. Any person aggrieved by this Order may obtain review thereof by appeal. The applicant can appeal up to thirty (30) days after receipt of this Order, and all others can appeal up to thirty (30) days from the postmarked date of this Order. The appeal must be sent to the Washington Pollution Control Hearings Board, PO Box 40903, Olympia WA 98504-0903. Concurrently, a copy of the appeal must be sent to the Department of Ecology, Enforcement Section, PO Box 47600, Olympia WA 98504-7600. These procedures are consistent with the provisions of Chapter 43.21B RCW and the rules and regulations adopted thereunder.

Dated 8-30-99 at Lacey, Washington



Paula Ehlers, Supervisor
Environmental Coordination Section
Shorelands and Environmental Assistance Program
Department of Ecology

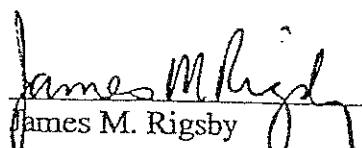
October 7, 1998

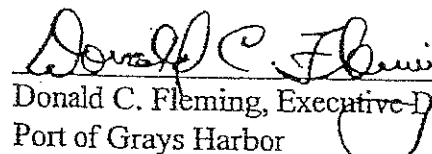
**POINT CHEHALIS REVETMENT EXTENSION PROJECT
WESTPORT, WASHINGTON
INTERAGENCY MITIGATION AGREEMENT**


PURPOSE. The purpose of the attached mitigation plan is to establish an interagency partnership for addressing fish and wildlife mitigation issues related to the Point Chehalis revetment extension project at Westport, Grays Harbor County, Washington.


RESPONSIBILITIES. The U.S. Army Corps of Engineers (Corps) agrees to fund the mitigation, as described in the attached mitigation plan (Attachment A) and project plans (Attachment B), or as modified by mutual agreement of the parties to this agreement. Sufficient funding is believed to be available for implementation of the wetland mitigation and replanting of upland vegetation. Funding for the other items in the mitigation agreement is anticipated to come from the Grays Harbor navigation project operations and maintenance annual budget appropriations. All the items set forth in the mitigation agreement are subject to availability of funds for this purpose.

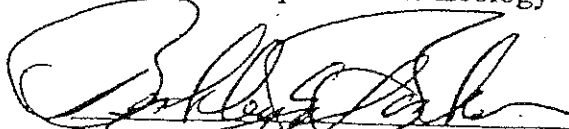
The Washington Department of Ecology, Washington Department of Fish and Wildlife, U.S. Fish and Wildlife Service, and Port of Grays Harbor agree to assist the Corps of Engineers in implementing project-related mitigation by participating on a technical committee which will ~~review performance of the mitigation measures.~~ The Port of Grays Harbor agrees to grant a right-of-entry without cost to the Corps of Engineers, to allow wetland mitigation work on Port-owned lands identified in this Agreement. The Port of Grays Harbor further agrees to preserve the salt marsh wetland mitigation site, by deed restriction, conservation easement, or other legal instrument, in perpetuity.



James M. Rigsby (date) 19 Oct 98
Colonel, U.S. Army Corps of Engineers
District Engineer, Seattle District


Donald C. Fleming, Executive Director (date) 21 Oct 98
Port of Grays Harbor


Tom Fitzsimmons, Director (date)
Washington Department of Ecology


Sara LaBorde, Regional Director (date) 11/9/98
Washington Department of Fish and Wildlife


Berkley Barker, Mayor (date)
City of Westport


Nancy J. Gloman, Acting Supervisor (date) 12/3/98
U.S. Fish and Wildlife Service

ATTACHMENT A**MITIGATION PLAN****Point Chehalis Revetment Extension, Westport, Washington****PURPOSE.**

The mitigation plan, as described below, was developed to facilitate the resolution of fish and wildlife resource issues relating to the project by the U.S. Army Corps of Engineers (Corps) to extend the Point Chehalis revetment at Westport, Washington, to prevent further erosion of Half Moon Bay and to protect public facilities landward of the shoreline. Several resource agencies, including the Washington Department of Ecology (Ecology), Washington Department of Fish and Wildlife (WDFW), and U.S. Fish and Wildlife Service, requested the development of a fish and wildlife mitigation plan for the project. This mitigation plan is intended to satisfy that condition and has been jointly developed by the Corps, Port of Grays Harbor, City of Westport and the above named resource agencies.

BACKGROUND.

The Point Chehalis revetment extension project has undergone a number of refinements to improve its effectiveness and to avoid and minimize adverse fish and wildlife impacts, since it was originally proposed. The mitigation plan is based on the Corps' current design of the Point Chehalis revetment extension, as shown in the attached project and mitigation drawings (see Attachment B). Future project elements involving erosion associated with the Grays Harbor South Jetty and Half Moon Bay, including future extension or modification of the South Jetty, will require development of a separate mitigation plan or an amendment to this mitigation plan.

The project that this mitigation plan addresses includes:

1. A 1,900-foot-long rock extension of the Point Chehalis revetment; and
2. Periodic beach nourishment of the Half Moon Bay shoreline using sand dredged during maintenance dredging of the Federally authorized navigation channel.

ISSUES OF CONCERN.

The issues of concern specifically addressed in this mitigation plan are:

1. Maintenance of beach profile and exposure of buried revetment toe;
2. Wetland impacts;
3. Replanting of disturbed upland vegetation; and
4. Intertidal habitat loss at revetment intertie with existing Point Chehalis Revetment.

ENVIRONMENTAL COMPLIANCE.

The Corps does not anticipate that additional environmental compliance will be required for implementation of this mitigation plan. Periodic beach nourishment will be addressed in future Public Notices and Environmental Assessments for maintenance dredging of the Federally authorized navigation channel. In the event that further environmental compliance is necessary with regard to wetland mitigation, WDFW and Ecology agree to assist with this effort.

BEACH NOURISHMENT.

Description. The 1,900-foot extension of the Point Chehalis revetment will be constructed along the alignment shown on Figure 1. The majority of the structure is considerably landward of the foredune and beach face. The toe of the structure will be placed at elevation +4 feet mean lower low water (MLLW), with a top elevation of the structure at elevation +25 feet MLLW (see cross sections on Figure 2). An artificial dune will be constructed and maintained by backfilling and covering the revetment with excavated sand. The revetment is thus designed to become active only if the Half Moon Bay shoreline severely erodes during an extreme storm event and the revetment must serve as a "last line of defense" in the event Half Moon Bay were to experience severe erosion before periodic beach nourishment could be performed.

Periodic nourishment of the beach to maintain a stable beach profile of approximately 1 vertical on 60 horizontal (1V on 60 H) and to ensure that the toe of the revetment is not exposed is an integral part of the Point Chehalis revetment and South Jetty extension project plan. Of particular concern to the resource agencies is ensuring that the revetment toe is not exposed during the juvenile salmon out-migration period that begins on March 1 and ends on June 14. It has been agreed that periodic beach nourishment will be treated as a mitigation measure of the revetment extension project, as well as a measure to provide structural integrity to the toe of the revetment.

Mitigation. The Half Moon Bay shoreline will be periodically nourished with clean sand dredged during maintenance of the Federally authorized navigation channel. Beach nourishment will be performed so as to establish and maintain an approximate beach profile of 1V on 60 H and cover the area shown on Figure 3. The current beach slope (above elevation -10 feet MLLW) ranges from 1V on 20 H to 1V to 30 H. The primary source of nourishment material will be clean sand dredged during maintenance of the Federally authorized Entrance and South Reach channels. The anticipated schedule for periodic nourishment is shown on Table 1. The initial direct beach placement is scheduled for project year three, following construction of the revetment extension. Placement of approximately 460,000 cubic yards (CY) of maintenance dredged material on the beach and 680,000 CY of material by nearshore disposal, is scheduled over the first five years. Table 1 also shows that, after year 5, direct beach nourishment will be required at estimated four year intervals, leveling off at an estimated 100,000 CY by project year 18. By Year 16, nearshore disposal of dredged material will level off at an estimated 100,000 CY per year, as well.

Beach nourishment material will be placed on the beach above MHHW (above +9.0 feet MLLW) by hydraulic pipeline. No material will be placed between March 1 and June 14. Berms will be constructed to protect newly placed fill material from wave and tidal action, and may be constructed from existing beach material from within the fill limits. Following hydraulic placement of dredged material, the material shall be shaped to a uniform elevation and slope, generally as indicated on Figure 3.

Construction plans for maintenance dredging and hydraulic placement of dredged material on the beach shall be prepared by the Corps for each beach nourishment cycle and reflected in a Public Notice and in an Environmental Assessment prepared in conjunction with the maintenance dredging. The hydraulic pipeline will extend overland from the offloading facility located at Firecracker Point near the U.S. Coast Guard Station in Westport. The Corps has a permanent easement for the offloading facility and the pipeline right-of-way, both of which have recently been used for hydraulic placement of dredged material for beach nourishment at Half Moon Bay.

In the intervening years, maintenance dredged material will be placed in the Half Moon Bay nearshore environment by hopper dredge or bottom dump barge. The volume of material scheduled for placement in Half Moon Bay is designed to establish a sustainable beach profile of approximately 1V on 60 H so renourishment of the upper beach every fourth year will occur entirely above the mean higher high water (MHHW) contour (+9 feet MLLW) (see Figure 3). If conditions so warrant, the interval for periodic beach nourishment will be reevaluated and maintenance dredged material will be placed on the beach in a given year of need rather than placed in the Half Moon Bay nearshore environment. Extensive analysis clearly indicates that suitable material for either direct beach nourishment or nearshore disposal in Half Moon Bay will continue to be available on an annual basis in quantities that will ensure the desired beach profile and revetment toe protection can be achieved.

Beach Nourishment Stockpile. If winter storms have eroded sand from the toe of the revetment below elevation +10.0 feet MLLW, stockpiled sand will be placed against the toe of the revetment in the affected areas to correct the deficiency prior to the March 1 juvenile salmon migration period. Of particular concern to the resource agencies is erosion of beach sand along the toe of the revetment near the tie-in with the existing Point Chehalis revetment.

Sand will stockpiled behind the revetment extension, between stations 1+00 and 7+00 (see Figure 1), in the area disturbed by revetment construction. This area is presently largely unvegetated. Initially, surplus sand (estimated at between 10,000 and 30,000 CY) will be stockpiled and shaped to a uniform elevation and slope. To maintain a minimum stockpile of 20,000 CY, the stockpile will be replenished in conjunction with periodic beach nourishment.

Monitoring. Bathymetric and topographic surveys in Half Moon Bay will be conducted. Topographic surveys of the beach profile will be conducted at least every two years to monitor the beach profile. The surveys will determine any changes in the beach profile relative to the anticipated year five slope of 1V on 60 H and any deficiencies of sand covering the revetment (i.e., rock exposed below elevation +10 feet MLLW). The frequency of surveys and survey

methods will depend on storm and erosion conditions and will reflect changing technology. Visual surveys will be routinely made by both City of Westport and Corps personnel, to monitor sand coverage of the revetment side slopes and toe. Annual aerial flight monitoring of Half Moon Bay will be conducted. Topographic surveys and aerial photographic coverage will be needed for the life of the project. Survey data will be analyzed by the Corps and provided to the resource agencies for their review. Survey results and the position of the +9 foot MLLW contour shown on Figure 3 will be used in coordination with the resource agencies to aid in determining the need for periodic beach nourishment relative to the schedule shown on Table 1.

Bathymetric surveys will continue to be conducted by the Corps in conjunction with nearshore placement of maintenance dredged material in Half Moon Bay. These surveys are conducted prior to and following nearshore disposal operations, to monitor the nearshore bathymetry and distribution of sand in Half Moon Bay. The anticipated schedule for both nearshore disposal and beach nourishment is shown on Table 1.

Estimated beach nourishment cost (including stockpile maintenance): \$2 million at year 3, \$1 million at year 7, decreasing to \$800,000 each cycle by year 15.

Estimated monitoring cost: To be performed as part of ongoing program of aerial and bathymetric surveys of Half Moon bay and the Grays Harbor navigation project.

WETLAND MITIGATION.

Description. A low-lying area within the back dunes where a portion of the proposed revetment will be constructed supports a palustrine emergent (dunal) wetland area approximately 6 acres in size (see Figure 4). The National Wetland Inventory (NWI) classification for this wetland is palustrine emergent/scrub shrub temporary tidal. Dominant plants are shore pine (*Pinus contorta*), willows (*Salix hookerana* and *S. exigua*), wax myrtle (*Myrica californica*), sedge (*Carex obnupta*), rush (*Juncus effusus*), and Pacific silverweed (*Potentilla anserina*). Elevated areas (mounds) within the wetland support Scotch broom (*Cystisus scoparius*), Himalayan blackberry (*Rubus procerus*), European dune grass (*Alymus arenarius*), rush (*J. effusus*), lovage (*Ligustichum scoticum*), and *Glehnia littoralis*. Animals observed in the wetland include deer, voles, gulls, crows, western goldfinch, and various shorebirds. The source of water supporting the wetland is believed to be a combination of rainwater and shallow groundwater, and possibly some ocean water that intrudes during high tide. The functions provided by the wetland are considered modest: some wildlife habitat use, slight stormwater detention, and groundwater recharge. Aerial photographs from early winter 1995 and in 1996 show that this area had minimal vegetation, with evidence of recent disturbance. However, vegetation at the time of the August 11, 1998 field review was relatively thick, indicating that vegetation in this area recovers in a relatively short period of time.

Construction of the revetment extension will result in the unavoidable filling of approximately 1.4 acres of this dunal wetland. Mitigation for the unavoidable loss of 1.4 acres of dunal wetland is required.

Mitigation.

1. Estuarine Emergent Wetland (Salt Marsh) Restoration. To compensate for the unavoidable loss of the 1.4 acres of dunal wetland, a previous fill will be removed from Port of Grays Harbor property located south and west of the barge unloading facility at Firecracker Point and directly south of the U.S. Coast Guard Westport Station. Portions of a former dredged material disposal containment dike will be removed, as shown on Figure 5. Dike material (estimated at 16,000 CY) will be removed to about elevation +10 feet MLLW. The excavated material will be disposed of on an adjacent upland area, as indicated on the drawing. The fill removal area is 1,200 feet long by 100 feet wide, excluding an area vegetated by trees and shrubs. The existing trees and shrubs will be preserved as part of the mitigation plan. This fill removal will restore 2.8 acres of high value estuarine emergent salt marsh in the tidal estuary. Estuarine emergent wetlands are of high value and a high priority for restoration by Ecology, WDFW, and USFWS. Concurrent with construction of the revetment extension, the Corps will develop a salt marsh restoration plan in conjunction with the resource agencies. This plan will be included as a future appendix to this agreement. As recommended by Ecology staff, implementation of the salt marsh restoration plan will be by mutual agreement of the agencies, at a time of year chosen to maximize the success of the restoration.

A right-of-entry will be obtained from the Port of Grays Harbor to perform the work. Ownership of the property will be retained by the Port, and the Port agrees to preserve the wetland mitigation site in perpetuity.

2. Preserving Hydrology of Remaining Dunal Wetland. To ensure that the revetment extension does not change the hydrology of the remaining dunal wetland, a drainage barrier (either a clay layer or heavy plastic sheeting) will be installed as shown in the cross section drawing on Figure 4.

Monitoring. The restored salt marsh and the dunal wetland area landward of the revetment extension will be monitored at years 1, 2, 3, 5, 7, and 10 following wetland restoration and revetment construction, respectively. The purpose of monitoring will be to verify that there are no adverse hydrologic effects of the project on the remaining dunal wetland, and to document the progress of restoration of the salt marsh. Monitoring will consist of a site visit by a qualified wetland biologist, a vegetation transect, and interpretation of aerial flight photographs. A memorandum will be prepared by the Corps and submitted to the resource agencies for review. If the revetment is shown to adversely change the dunal wetland's hydrology, the technical committee will consider measures to mitigate for the additional loss.

Estimated construction cost: \$50,000.

Estimated monitoring cost: \$21,000 (\$3,500 x 6 times).

REPLANTING UPLAND VEGETATION

Description. Portions of the revetment extension construction zone are vegetated with upland vegetation. Rush (*Juncus effusus*), dune grass (*Elymus mollis*), Himalayan blackberry (*Rubus procerus*), and Scotch broom (*Cystisus scoparius*) dominate the vegetation in this upland dune area. Approximately 70 percent of the upland area that will be impacted by revetment extension and dune creation is so vegetated. The remainder of the area is heavily used for public access and is not vegetated. Mitigation for the unavoidable loss of up to 4 acres of upland vegetation is required.

Mitigation. Removal or destruction of upland vegetation will be limited to that necessary for the construction of the revetment extension. The revetment extension will result in an unavoidable loss of 4 acres of vegetated dunal upland area. This 4-acre area will be replanted, including the side slopes of the completed revetment covered by sand. Species to be planted will include both native American dune grass (*Elymus mollis*) and rush (*Juncus effusus*). A planting plan will be developed by the Corps and submitted to the resource agencies for approval prior to replanting of upland vegetation.

Monitoring. The plantings will be monitored for success, with a performance measure of 80 percent survival after the 2nd year. Monitoring will consist of a site visit by a qualified wetland biologist, vegetation transect, and interpretation of aerial flight photographs. Monitoring will be conducted in the second year following planting. A memorandum will be prepared by the Corps and submitted to the resource agencies for review.

Estimated replanting cost: \$12,000.

Estimated monitoring cost: \$3,000.

INTERTIDAL HABITAT LOSS.

Description. The intertie between the existing Point Chehalis revetment and the proposed revetment extension, as originally designed and as described in the Public Notice, would have resulted in a loss of 45 lineal feet (215 square feet) of intertidal habitat (habitat below MHHW -- i.e., below +9 feet MLLW) in Half Moon Bay. Intertidal habitat such as this is a valuable refuge area for juvenile salmon migrating from Grays Harbor to the Pacific Ocean. Juvenile salmon could be adversely impacted during their migration to the ocean if the beach profile in front of this portion of the revetment extension steepens or by having to migrate past additional rock face as they are forced to migrate through deeper water away from the sandy beach. Higher mortality from piscivorous, avian, or mammalian predators is the main concern.

Mitigation/Avoidance. Based upon resource agency concerns, the intertie has been redesigned to avoid the loss (see Figures 1 and 3). The revetment extension will not result in loss of intertidal habitat.

REFERENCES.

Corps of Engineers. June 1997. *Evaluation Report - Long term Maintenance of the South Jetty at Grays Harbor, Washington*. Seattle District, U.S. Army Corps of Engineers, Seattle, Washington.

_____. September 1998. *Environmental Assessment: Extension of Point Chehalis Revetment, Grays Harbor Navigation Project, Westport, Washington*. Seattle District, U.S. Army Corps of Engineers, Seattle, Washington.

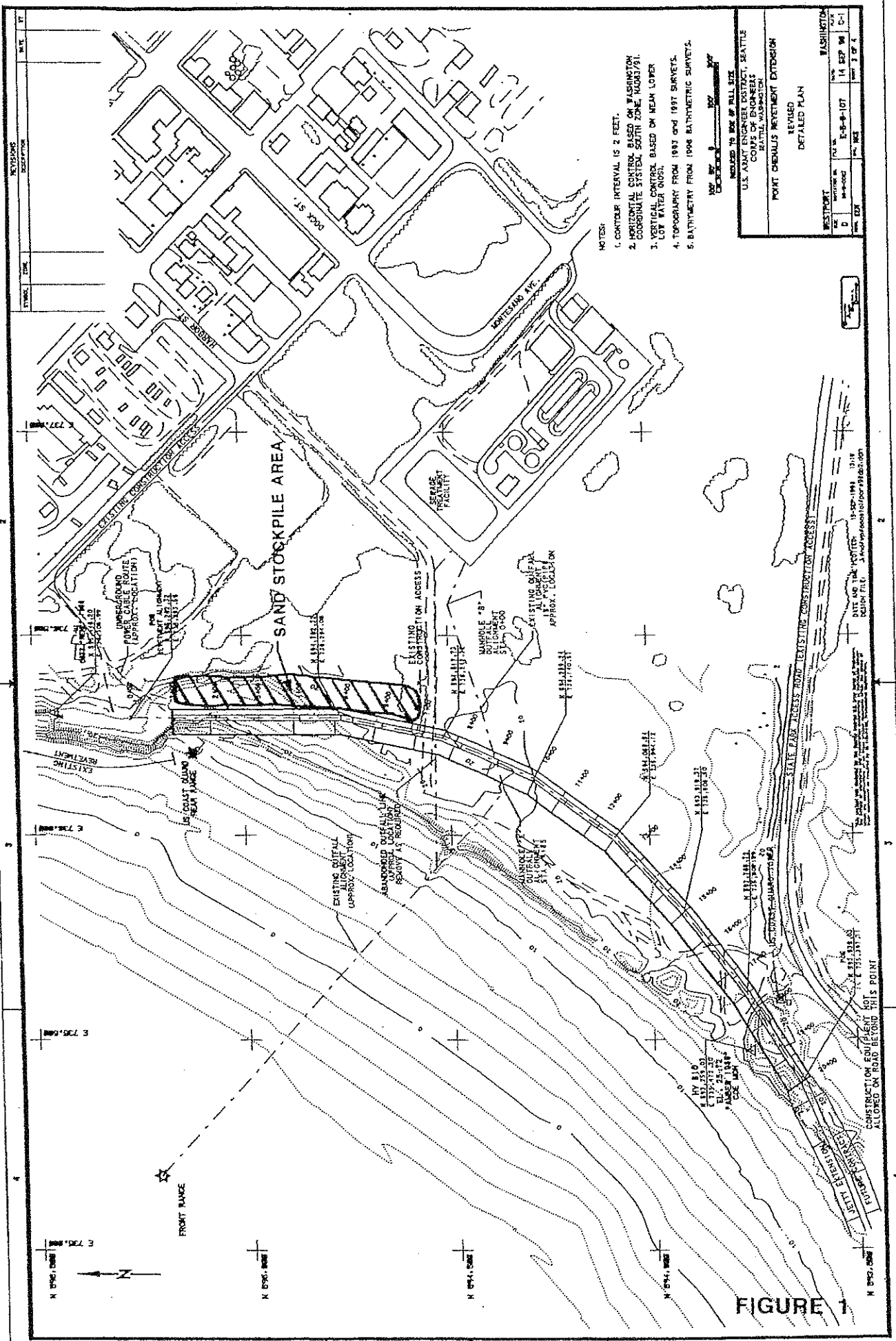
_____. August 13, 1998. Memorandum for Record: Field Review and Jurisdictional Summary for Point Chehalis O&M Revetment. Memorandum prepared by Cindy Barger, Biologist, Regulatory Branch, on the August 11, 1998 wetland delineation. Seattle District, U.S. Army Corps of Engineers, Seattle, Washington.

ATTACHMENT B

PROJECT PLANS

Point Chehalis Revetment Extension

Figure 1	Revised Detailed Plan
Figure 2	Revised Revetment Sections
Figure 3	Beach Nourishment
Figure 4	Palustrine Wetland Area
Figure 5	Wetland Mitigation Site
Table 1	Placement Schedule for Beach Nourishment and Nearshore Disposal

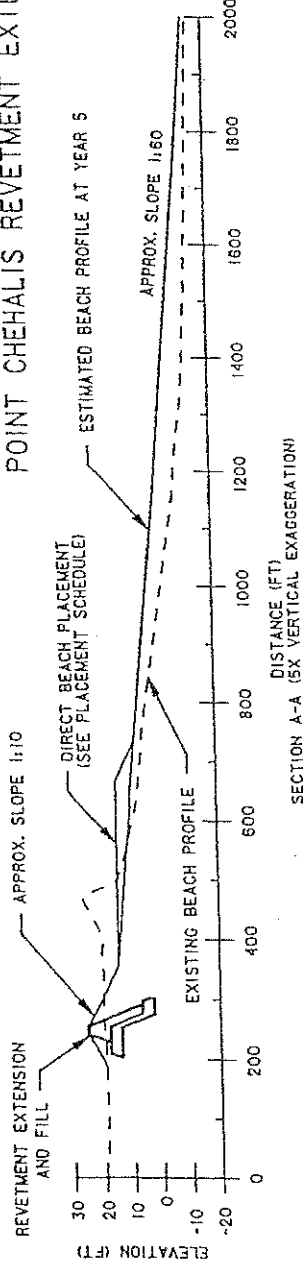


- NOTES:
1. CONTOUR INTERVAL IS 2 FEET.
 2. HORIZONTAL CONTROL BASED ON WASHINGTON COORDINATE SYSTEM, SOUTH ZONE, NAD83/91.
 3. VERTICAL CONTROL BASED ON MEAN LOWER LOW WATER DATUM.
 4. TOPOGRAPHY FROM 1987 AND 1997 SURVEYS.
 5. BATHYMETRY FROM 1998 BATHYMETRIC SURVEYS.

REVISED		WASHINGTON	
WESTPORT	NO. 14	DATE	14 SEP 98
D	14-000	PROJECT	E-8-8-107
NO. 14	NO. 14	DATE	NOV 3 1998
POINT CHEVALIS REVEGETATION DETAIL		REVEGETATION PLAN	
U.S. ARMY ENGINEER DISTRICT, SEATTLE CONFS OF ENGINEERS SEATTLE WASHINGTON			

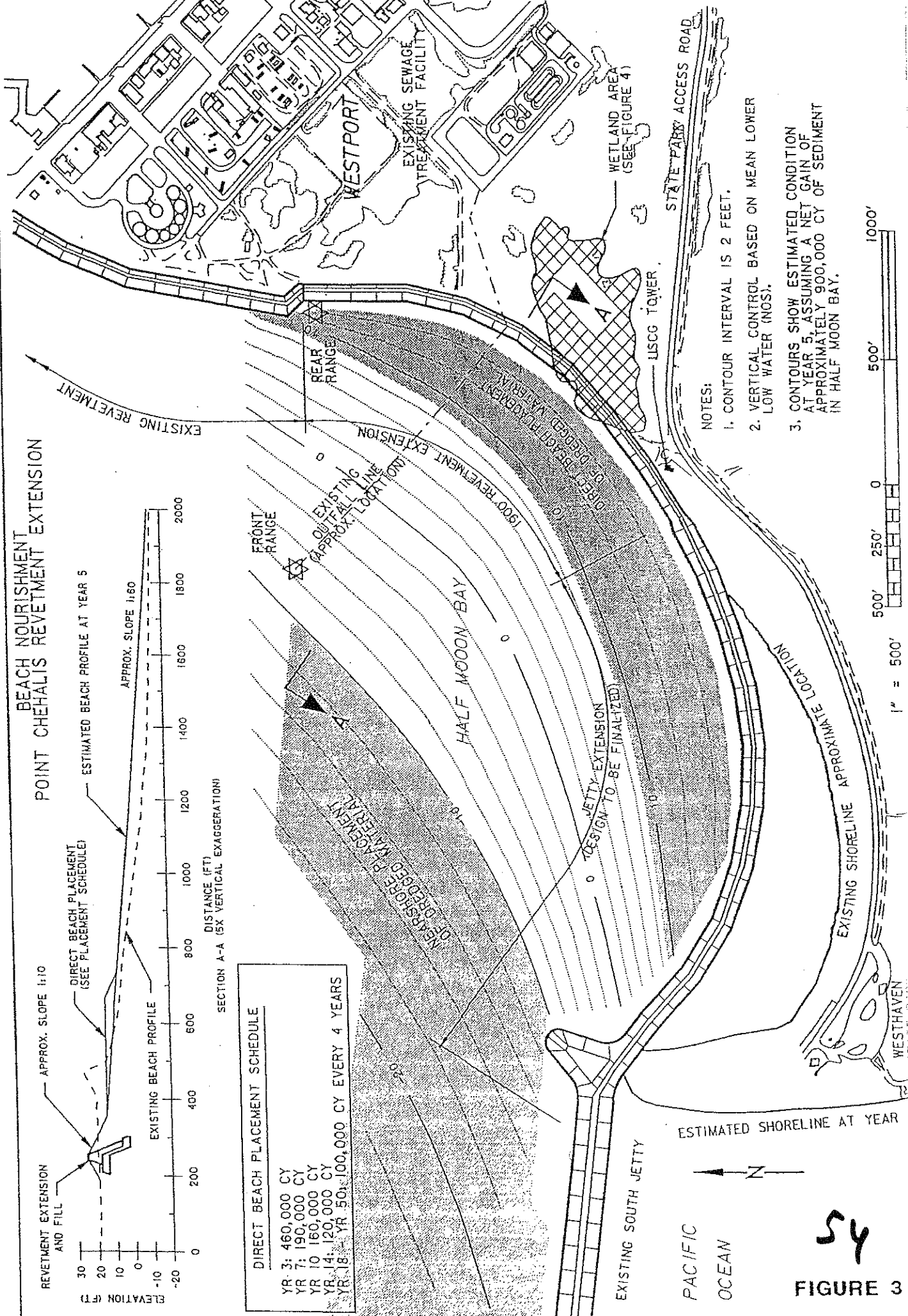
FIGURE 1

BEACH NOURISHMENT POINT CHEHALIS REVETMENT EXTENSION

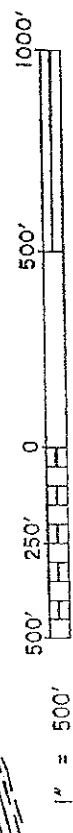


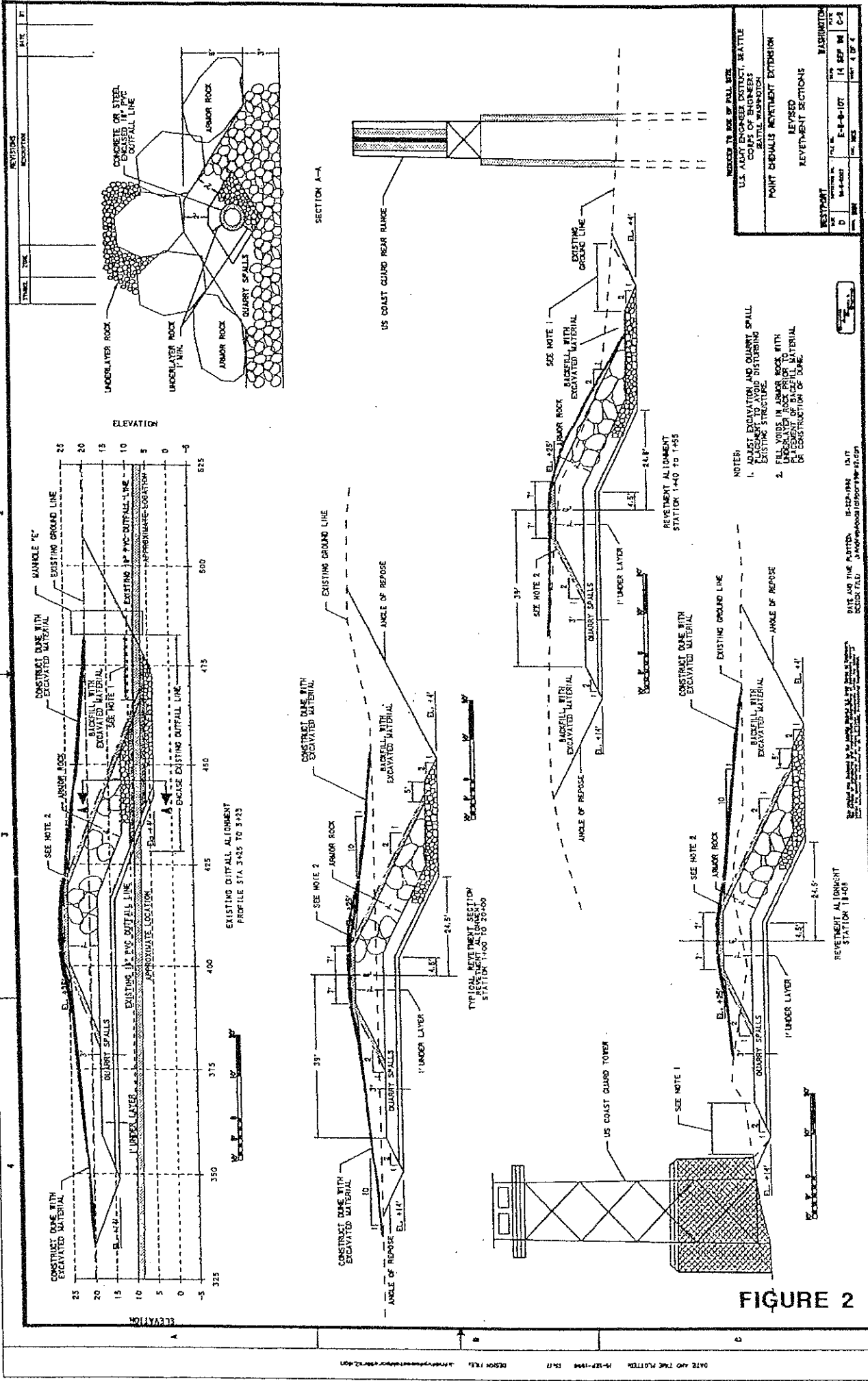
DIRECT BEACH PLACEMENT SCHEDULE

YR 3:	460,000 CY
YR 7:	190,000 CY
YR 10:	160,000 CY
YR 14:	120,000 CY
YR 18:	50,000 CY EVERY 4 YEARS



- NOTES:**
1. CONTOUR INTERVAL IS 2 FEET.
 2. VERTICAL CONTROL BASED ON MEAN LOWER LOW WATER (MOLL).
 3. CONTOURS SHOW ESTIMATED CONDITION AT YEAR 5, ASSUMING A NET GAIN OF APPROXIMATELY 900,000 CY OF SEDIMENT IN HALF MOON BAY.





NO.	DATE	DESCRIPTION
1	11-27-1948	DESIGN
2	1-27-1949	REVISED
3	1-27-1949	REVISED
4	1-27-1949	REVISED
5	1-27-1949	REVISED
6	1-27-1949	REVISED
7	1-27-1949	REVISED
8	1-27-1949	REVISED
9	1-27-1949	REVISED
10	1-27-1949	REVISED
11	1-27-1949	REVISED
12	1-27-1949	REVISED
13	1-27-1949	REVISED
14	1-27-1949	REVISED
15	1-27-1949	REVISED
16	1-27-1949	REVISED
17	1-27-1949	REVISED
18	1-27-1949	REVISED
19	1-27-1949	REVISED
20	1-27-1949	REVISED
21	1-27-1949	REVISED
22	1-27-1949	REVISED
23	1-27-1949	REVISED
24	1-27-1949	REVISED
25	1-27-1949	REVISED

PROJECT		WASHINGTON	
NO.	DATE	NO.	DATE
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3	1-27-1948	16	8-27-1948
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7	1-27-1948	20	8-27-1948
8	1-27-1948	21	8-27-1948
9	1-27-1948	22	8-27-1948
10	1-27-1948	23	8-27-1948
11	1-27-1948	24	8-27-1948
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14	1-27-1948	27	8-27-1948
15	1-27-1948	28	8-27-1948
16	1-27-1948	29	8-27-1948
17	1-27-1948	30	8-27-1948
18	1-27-1948	31	8-27-1948
19	1-27-1948	32	8-27-1948
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21	1-27-1948	34	8-27-1948
22	1-27-1948	35	8-27-1948
23	1-27-1948	36	8-27-1948
24	1-27-1948	37	8-27-1948
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26	1-27-1948	39	8-27-1948
27	1-27-1948	40	8-27-1948
28	1-27-1948	41	8-27-1948
29	1-27-1948	42	8-27-1948
30	1-27-1948	43	8-27-1948
31	1-27-1948	44	8-27-1948
32	1-27-1948	45	8-27-1948
33	1-27-1948	46	8-27-1948
34	1-27-1948	47	8-27-1948
35	1-27-1948	48	8-27-1948
36	1-27-1948	49	8-27-1948
37	1-27-1948	50	8-27-1948
38	1-27-1948	51	8-27-1948
39	1-27-1948	52	8-27-1948
40	1-27-1948	53	8-27-1948
41	1-27-1948	54	8-27-1948
42	1-27-1948	55	8-27-1948
43	1-27-1948	56	8-27-1948
44	1-27-1948	57	8-27-1948
45	1-27-1948	58	8-27-1948
46	1-27-1948	59	8-27-1948
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61	1-27-1948	74	8-27-1948
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63	1-27-1948	76	8-27-1948
64	1-27-1948	77	8-27-1948
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67	1-27-1948	80	8-27-1948
68	1-27-1948	81	8-27-1948
69	1-27-1948	82	8-27-1948
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81	1-27-1948	94	8-27-1948
82	1-27-1948	95	8-27-1948
83	1-27-1948	96	8-27-1948
84	1-27-1948	97	8-27-1948
85	1-27-1948	98	8-27-1948
86	1-27-1948	99	8-27-1948
87	1-27-1948	100	8-27-1948

NOTES:

1. ADJUST EXCAVATION AND QUARRY SPALL PLACEMENT TO AVOID DISTURBING EXISTING STRUCTURE.
2. FILL VOIDS IN ARMOR ROCK WITH BACKFILL OF QUARRY SPALL MATERIAL OR CONSTRUCTION OF DUNE.

US COAST GUARD REAR RANGE

REVETMENT ALIGNMENT STATION 1440 TO 1455

REVETMENT ALIGNMENT STATION 1400 TO 1409

REVETMENT ALIGNMENT STATION 1408

DATE AND TIME PLOTTED: 11-27-1948 13:17

DESIGNER: J. H. WATSON

SCALE: AS SHOWN

U.S. ARMY ENGINEERS DISTRICT, SEATTLE

COMP. OF ENGINEERS

SEATTLE, WASHINGTON

POINT BEHALFS MOVEMENT EXTENSION

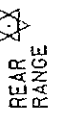
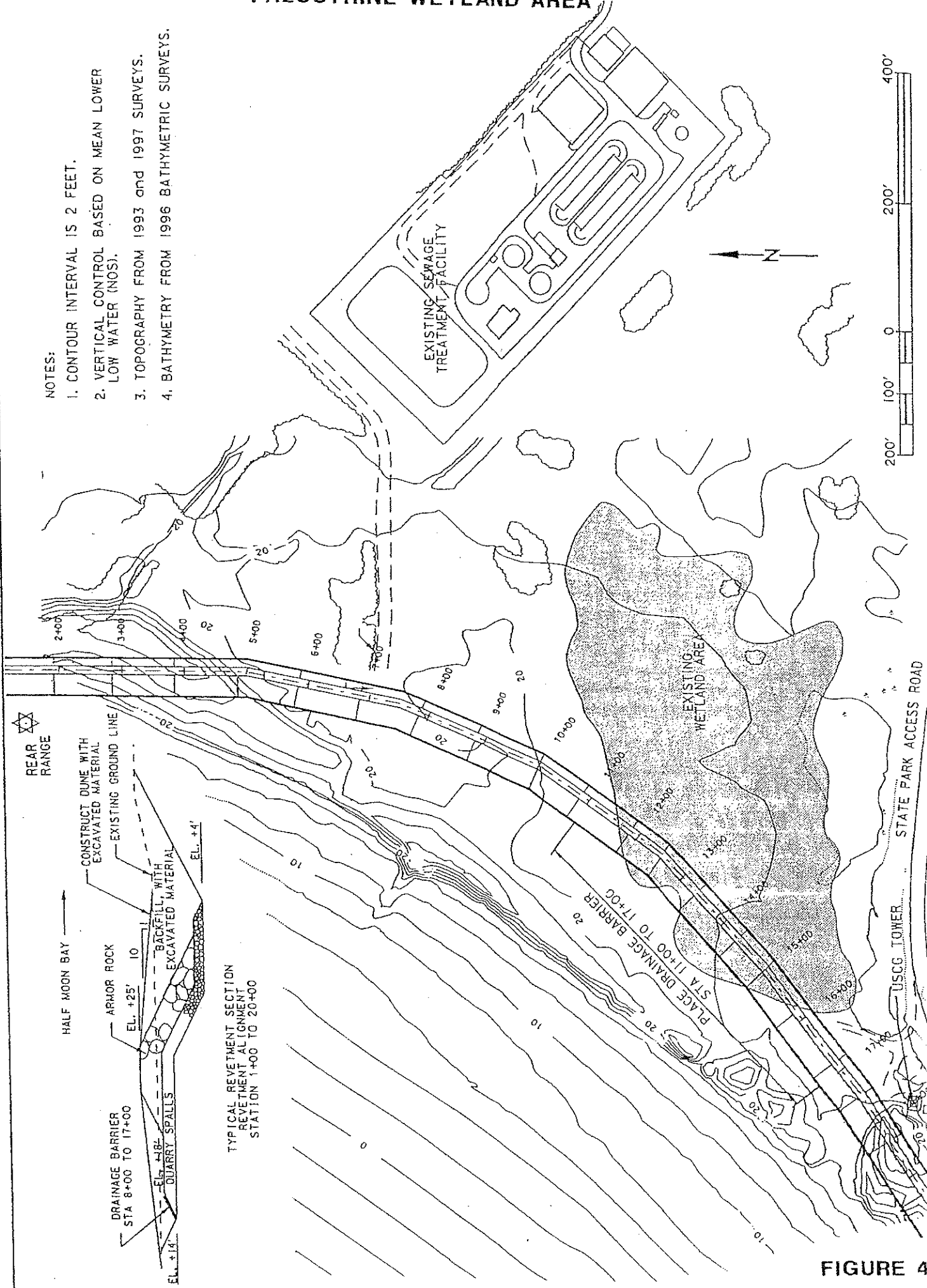
REVISED SECTIONS

FIGURE 2

PALUSTRINE WETLAND AREA

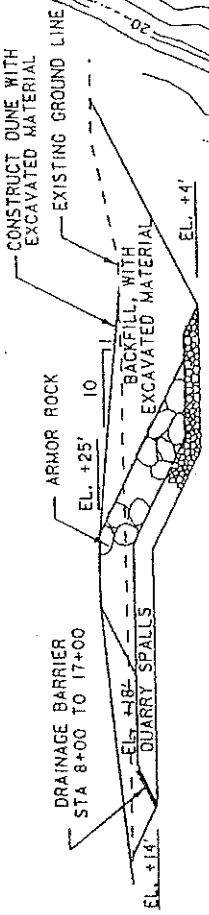
NOTES:

1. CONTOUR INTERVAL IS 2 FEET.
2. VERTICAL CONTROL BASED ON MEAN LOWER LOW WATER (MOLL).
3. TOPOGRAPHY FROM 1993 and 1997 SURVEYS.
4. BATHYMETRY FROM 1996 BATHYMETRIC SURVEYS.



REAR RANGE

HALF MOON BAY



TYPICAL REVETMENT SECTION
REVETMENT ALIGNMENT
STATION 1+00 TO 20+00

FIGURE 4

WETLAND MITIGATION SITE

SALT MARSH RESTORATION

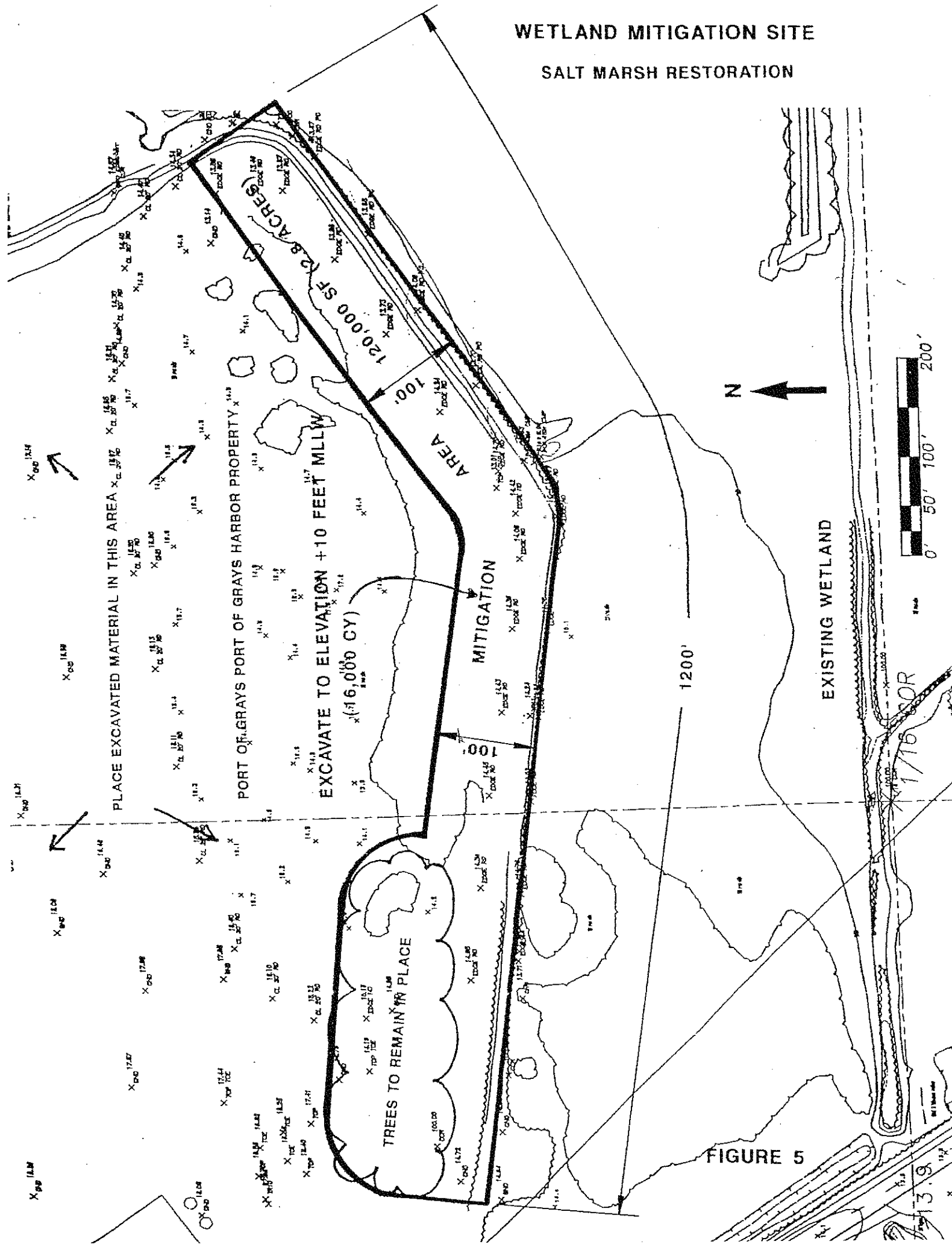


FIGURE 5

**TABLE 1
PLACEMENT SCHEDULE FOR BEACH NOURISHMENT AND NEARSHORE DISPOSAL**

YEAR	SOURCE: SOUTH REACH CHANNEL				SOURCE: ENTRANCE CHANNEL				HALF MOON BAY TOTAL PLACEMENT VOLUME (CY)
	DESTINATION:			SOUTH REACH TOTAL DREDGE VOLUME (CY)	DESTINATION:			ENTRANCE TOTAL DREDGE VOLUME (CY)	
	HALF MOON BAY		SOUTH JETTY		HALF MOON BAY		SOUTH JETTY		
	HALF MOON BAY DIRECT (CY)	HALF MOON BAY NEARSHORE (CY)	SOUTH JETTY DISPOSAL SITE (CY)		HALF MOON BAY DIRECT (CY)	HALF MOON BAY NEARSHORE (CY)	SOUTH JETTY DISPOSAL SITE (CY)		
1	0	50,000	200,000	250,000	0	250,000	0	250,000	300,000
2	0	10,000	230,000	240,000	0	240,000	0	240,000	250,000
3	230,000	0	0	230,000	230,000	0	0	230,000	460,000
4	0	0	220,000	220,000	0	220,000	0	220,000	220,000
5	0	0	210,000	210,000	0	210,000	0	210,000	210,000
6	0	0	200,000	200,000	0	0	200,000	200,000	0
7	0	0	190,000	190,000	190,000	0	0	190,000	190,000
8	0	0	180,000	180,000	0	180,000	0	180,000	180,000
9	0	0	170,000	170,000	0	0	170,000	170,000	0
10	0	0	160,000	160,000	160,000	0	0	160,000	160,000
11	0	0	150,000	150,000	0	0	150,000	150,000	0
12	0	0	140,000	140,000	0	140,000	0	140,000	140,000
13	0	0	130,000	130,000	0	0	130,000	130,000	0
14	0	0	120,000	120,000	120,000	0	0	120,000	120,000
15	0	0	110,000	110,000	0	110,000	0	110,000	110,000
16	0	0	100,000	100,000	0	100,000	0	100,000	100,000
17	0	0	90,000	90,000	0	100,000	0	100,000	100,000
18	0	0	80,000	80,000	100,000	0	0	100,000	100,000
19	0	0	70,000	70,000	0	100,000	0	100,000	100,000
20	0	0	60,000	60,000	0	100,000	0	100,000	100,000
21	0	0	50,000	50,000	0	100,000	0	100,000	100,000
22	0	0	40,000	40,000	100,000	0	0	100,000	100,000
23	0	0	30,000	30,000	0	100,000	0	100,000	100,000
24	0	0	20,000	20,000	0	100,000	0	100,000	100,000
25	0	0	10,000	10,000	0	100,000	0	100,000	100,000
26	0	0	0	0	100,000	0	0	100,000	100,000
27	0	0	0	0	0	100,000	0	100,000	100,000
28	0	0	0	0	0	100,000	0	100,000	100,000
29	0	0	0	0	0	100,000	0	100,000	100,000
30	0	0	0	0	100,000	0	0	100,000	100,000
31	0	0	0	0	0	100,000	0	100,000	100,000
32	0	0	0	0	0	100,000	0	100,000	100,000
33	0	0	0	0	0	100,000	0	100,000	100,000
34	0	0	0	0	100,000	0	0	100,000	100,000
35	0	0	0	0	0	100,000	0	100,000	100,000
36	0	0	0	0	0	100,000	0	100,000	100,000
37	0	0	0	0	0	100,000	0	100,000	100,000
38	0	0	0	0	100,000	0	0	100,000	100,000
39	0	0	0	0	0	100,000	0	100,000	100,000
40	0	0	0	0	0	100,000	0	100,000	100,000
41	0	0	0	0	0	100,000	0	100,000	100,000
42	0	0	0	0	100,000	0	0	100,000	100,000
43	0	0	0	0	0	100,000	0	100,000	100,000
44	0	0	0	0	0	100,000	0	100,000	100,000
45	0	0	0	0	0	100,000	0	100,000	100,000
46	0	0	0	0	100,000	0	0	100,000	100,000
47	0	0	0	0	0	100,000	0	100,000	100,000
48	0	0	0	0	0	100,000	0	100,000	100,000
49	0	0	0	0	0	100,000	0	100,000	100,000
50	0	0	0	0	100,000	0	0	100,000	100,000
TOTALS	230,000	60,000	2,980,000	3,250,000	1,600,000	3,950,000	850,000	6,200,000	5,840,000

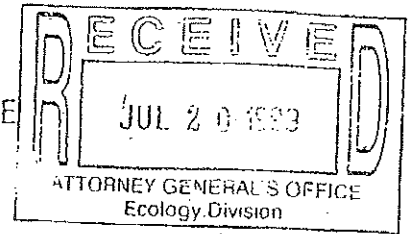
Pollution Control Hearings Board
Shorelines Hearings Board
Forest Practices Appeals Board
Hydraulics Appeals Board



(360) 459-6327
(FAX) (360) 438-7699
E-Mail: EHO@EHO.WA.GOV

STATE OF WASHINGTON
ENVIRONMENTAL HEARINGS OFFICE

4224 - 6th Avenue SE, Bldg. 2, Rowe Six
P.O. Box 40903, Lacey, WA 98504-0903



July 15, 1999

Knoll D. Lowney
SMITH & LOWNEY
1108 Smith Tower
506 Second Avenue
Seattle WA 98104

Tanya Barnett
Assistant Attorney General
Department of Ecology
PO Box 40117
Olympia WA 98504-0117

Ronald S. Marsh
Asst. District Counsel
Department of the Army
Seattle District Corps of Engineers
PO Box 3755
Seattle WA 98124-2255

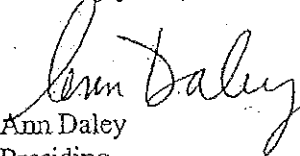
RE: PCHB NO. 98-257
**SURFRIDER FOUNDATION, WASHINGTON STATE CHAPTER v. ECOLOGY
And US ARMY CORPS OF ENGINEERS**

Dear Parties:

Enclosed is the Stipulation and Agreed Order of Dismissal in this matter.

If you have questions, please do not hesitate to call.

Sincerely yours,


Ann Daley
Presiding

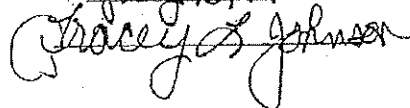
AD/jg/surfrider
Cc: Leann Ryser - Ecology
ent.

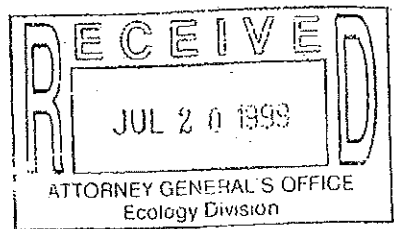
CERTIFICATION

On this day, I forwarded a true and accurate copy of the documents to which this certificate is affixed via United States Postal Service postage prepaid to the attorneys of record herein.

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED July 15, 99 at Lacey, WA.





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POLLUTION CONTROL HEARINGS BOARD

SURFRIDER FOUNDATION,
WASHINGTON STATE CHAPTER,

Appellant,

v.

STATE OF WASHINGTON,
DEPARTMENT OF ECOLOGY; and
UNITED STATES ARMY CORPS OF
ENGINEERS,

Respondents.

NO. 98-257

STIPULATION AND AGREED
ORDER OF DISMISSAL

STIPULATION

The Parties to this matter hereby stipulate as follows:

- On October 2, 1998, the State of Washington, Department of Ecology (Ecology) issued to the U.S. Army Corps of Engineers (Corps) a water quality certification under § 401 of the Clean Water Act in the form of Order No. TB-98-02. The certification pertained to the Corps' proposal to extend the Point Chehalis revetment near Westport, Washington. The Corps had submitted to Ecology a Coastal Zone Management Act (CZMA) consistency determination for the same project on August 27, 1998. Ecology took no action on the determination within the time allowed by federal law.
- Appellant Surfrider Foundation, Washington State Chapter appealed Ecology's issuance of the § 401 certification and its failure to take action on the CZMA consistency determination to the Pollution Control Hearings Board on November 2, 1998.

1 3. To avoid the costs and uncertainties of litigation, the Parties agree to resolve this
2 appeal in the following manner:

3 a. By July 30, 1999, Ecology will amend Order No. TB-98-02 to:

4 (1) Require the Corps to comply with the Mitigation Plan for the Point *done*
5 Chehalis Revetment Extension, Westport, Washington, dated October 7, 1998, as a condition of
6 the § 401 certification. The Mitigation Plan will be attached to, and incorporated by reference
7 into, Order No. TB-98-02. Ecology will make clear that the Corps' obligation to comply with *done*
8 the Mitigation Plan is not contingent on its receipt of funding. This does not constitute a waiver
9 by the Corps that its obligations under the Mitigation Plan are subject to the provisions of the
10 Anti-Deficiency Act, 31 U.S.C. § 1341, nor does it constitute a waiver by Ecology that the
11 Corps' obligations under the Mitigation Plan are not subject to the Anti-Deficiency Act.

12 (2) Extend the duration of the Order, including the water quality modification
13 granted in the Order, for the life of the Point Chehalis Revetment Extension project.

14 b. Ecology will adopt the following policy and procedure documents, each of which
15 is attached to this Stipulation:

16 (1) Procedures for coordinated 401/CZM implementation (November 16,
17 1998) (2 pages);

18 (2) Procedures/Federal Consistency/General Process (November 16, 1998) (2
19 pages); and

20 (3) Procedures/Federal Consistency/Direct Federal Actions (Corps, Coast
21 Guard, Navy, BPA etc.) (November 16, 1998) (2 pages).

22 c. Ecology is currently reorganizing and updating its Coastal Zone Management
23 Program Document. No later than December 31, 1999, Ecology will provide the Surfrider
24 Foundation, Washington State Chapter with a copy of its proposed changes to the Program
25 Document; and an opportunity to comment on those changes. In the future, Ecology will review
26 its Program Document to determine whether substantive changes are necessary. If it decides that

1 substantive changes are necessary, Ecology will convene a workgroup to assist in making those
 2 changes, and will invite the Surfrider Foundation and other stakeholders to participate in the
 3 workgroup.

4 4. This Stipulation fully resolves this appeal. Therefore, the Parties request that the
 5 Board enter the attached Order of Dismissal.

6 DATED this 9th day of July, 1999.

7 CHRISTINE O. GREGOIRE
 8 Attorney General

9 Tanya Barnett
 10 TANYA BARNETT, WSBA #17491
 11 Assistant Attorney General
 12 Attorney for Respondent
 13 Department of Ecology

Ronald S. Marsh
 14 RONALD S. MARSH
 15 Assistant District Counsel
 16 Attorney for Respondent
 17 U.S. Army Corps of Engineers

18 Knoll D. Lowney
 19 KNOLL D. LOWNEY, WSBA #23457
 20 Attorney for Appellant
 21 Surfrider Foundation

22
 23
 24
 25
 26

STIPULATION AND AGREED ORDER
 OF DISMISSAL

ATTORNEY GENERAL OF WASHINGTON
 Ecology Division
 PO Box 40117
 Olympia, WA 98504-0117
 FAX (360) 438-7743

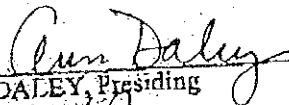
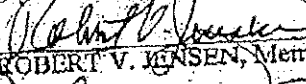

AGREED ORDER OF DISMISSAL

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Having reviewed the foregoing Stipulation and the file and pleadings hercin, and it appearing that the parties have reached an agreement;


IT IS HEREBY ORDERED that the foregoing Stipulation is entered as an Order of this Board, and this case, *Surfrider Foundation, Washington State Chapter v. State of Washington, Department of Ecology and U.S. Army Corps of Engineers*, PCHB No. 98-257, is hereby DISMISSED with prejudice.

DATED this 5th day of July, 1999:



ANN DALEY, Presiding

ROBERT V. JENSEN, Member

JAMES A. TUPPER, Member

Presented by:


CHRISTINE O. GREGOIRE
Attorney General


TANYA BARNETT, WSBA #17491
Assistant Attorney General
Attorney for Respondent
Department of Ecology

Approved for entry:


RONALD S. MARSH
Assistant District Counsel
Attorney for Respondent
U.S. Army Corps of Engineers

Approved for entry:


KNOLL D. LOWNEY, WSBA #23457
Attorney for Appellant
Surfrider Foundation

STIPULATION AND AGREED ORDER
OF DISMISSAL

ATTORNEY GENERAL OF WASHINGTON
Ecology Division
PO Box 40117
Olympia, WA 98504-0117
FAX (360) 478-7743